

The Listing of Claims will replace all prior versions and listings of claims in the present patent application:

### **Listing of Claims**

1-3 (Canceled)

4. (Currently Amended) An apparatus for ~~transmitting~~ generating at least one segment of time-sensitive information over a wireless voice over data communication system, used in conjunction with a predefined data protocol, comprising:

~~means for negotiating a maximum segment size with a receiver;~~

~~a memory for storing the maximum segment size;~~

a queue for storing data frames, said data frames representing time-sensitive information;  
and

a first processor for generating a first segment ~~from said~~ of time-sensitive information if a sufficient quantity of said time-sensitive information is available for transmission, said first segment having a segment size between ~~said~~ a defined minimum segment size and ~~said~~ a defined maximum segment size; and generating a second segment of time sensitive information having a segment size less than or equal to said maximum segment size upon the receipt of an acknowledgment message from ~~said~~ a receiver, wherein the first segment size is different from the second segment size.

5. (Original) The apparatus of claim 4, further comprising a vocoder for generating data frames from said time-sensitive information.

6-11 (Canceled)

12. (Currently Amended) A method for ~~transmitting~~ generating at least one segment of time-sensitive information over a wireless voice over data communication system, used in conjunction with a predefined data protocol, comprising:

defining a minimum segment size for information to be transmitted;

defining a maximum segment size for information to be transmitted, said maximum segment size being greater than said minimum segment size;

generating a first segment ~~from said~~ of time-sensitive information if a sufficient quantity of said time-sensitive information is available for transmission, said first segment having a segment size between said minimum segment size and said maximum segment size; and

generating a second segment of time sensitive information having a segment size less than or equal to said maximum segment size upon the receipt of an acknowledgment message from a receiver, wherein the first segment size is different from the second segment size.

13. (Currently Amended) A computer-readable medium ~~embodying means for implementing a method for transmitting~~ generating at least one segment of time-sensitive information ~~over a wireless voice over data communication system, said computer-readable medium comprising instructions that are executable by at least one processor to used in conjunction with a predefined data protocol, the method comprising:~~

~~defining~~ define a minimum segment size for information to be transmitted;

~~defining~~ define a maximum segment size for information to be transmitted, said maximum segment size being greater than said minimum segment size;

~~generating~~ generate a first segment ~~from said~~ of time-sensitive information if a sufficient quantity of said time-sensitive information is available for transmission, said first segment having a segment size between said minimum segment size and said maximum segment size; and

~~generating~~ generate a second segment of time sensitive information having a segment size less than or equal to said maximum segment size upon the receipt of an acknowledgment message from a receiver, wherein the first segment size is different from the second segment size.

14. (Currently Amended) An apparatus for ~~transmitting~~ generating at least one segment of time-sensitive information ~~over a wireless voice over data communication system, used in conjunction with a predefined data protocol, comprising:~~

means for defining a minimum segment size for information to be transmitted;

means for defining a maximum segment size for information to be transmitted, said maximum segment size being greater than said minimum segment size;

means for generating a first segment ~~from said~~ of time-sensitive information if a sufficient quantity of said time-sensitive information is available for transmission, said first segment having a segment size between said minimum segment size and said maximum segment size; and

means for generating a second segment of time sensitive information having a segment size less than or equal to said maximum segment size upon the receipt of an acknowledgment message from a receiver, wherein the first segment size is different from the second segment size.

15. (New) The apparatus of claim 4, wherein the apparatus is implemented in a base station.

16. (New) The apparatus of claim 14, wherein the apparatus is implemented in a base station.

17. (New) A processor adapted to generate at least one segment of time sensitive information comprising:

means for defining a minimum segment size for information to be transmitted;

means for defining a maximum segment size for information to be transmitted, said maximum segment size being greater than said minimum segment size;

means for generating a first segment of said time-sensitive information if a sufficient quantity of said time-sensitive information is available for transmission, said first segment having a segment size between said minimum segment size and said maximum segment size; and

means for generating a second segment of time sensitive information having a segment size less than or equal to said maximum segment size upon the receipt of an acknowledgment message from a receiver, wherein the first segment size is different from the second segment size.